

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

RICHARD NICHOLSON,	Case No. 3:16-cv-00486-MMD-WGC
Petitioner,	ORDER
v.	
RENEE BAKER, <i>et al.</i> ,	
Respondents.	

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner. Petitioner has filed a motion to proceed *in forma pauperis*. (ECF No. 1.) Based on the information regarding petitioner's financial status, the Court finds that the motion to proceed *in forma pauperis* should be granted. The Court has reviewed the habeas petition, and determined that it will be served on respondents.

It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1) is granted.

It is further ordered that the Clerk file and electronically serve the petition upon the respondents.

It is further ordered that the Clerk of Court send petitioner a copy of the filed petition.

It is further ordered that the Clerk of Court add Nevada Attorney General Adam Paul Laxalt to the CM/ECF docket sheet as counsel for respondents.

1 It is further ordered that respondents will have forty-five (45) days from the entry
2 of this order within which to answer, or otherwise respond to, the petition. In their answer
3 or other response, respondents must address all claims presented in the petition.
4 Respondents must raise all potential affirmative defenses in the initial responsive
5 pleading, including lack of exhaustion and procedural default. Successive motions to
6 dismiss will not be entertained. If an answer is filed, respondents must comply with the
7 requirements of Rule 5 of the Rules Governing Proceedings in the United States District
8 Courts under 28 U.S.C. §2254. If an answer is filed, petitioner will have forty-five (45)
9 days from the date of service of the answer to file a reply.

10 It is further ordered that any state court record exhibits filed by respondents must
11 be filed with a separate index of exhibits identifying the exhibits by number or letter. The
12 hard copy of all state court record exhibits must be forwarded, for this case, to the staff
13 attorneys in the Reno Division of the Clerk of Court.

14 DATED THIS 31st day of May 2017.

15
16 

17 MIRANDA M. DU
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28